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Date: October 22, 2002 Label No. EV178735461US

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Dawn M. Berry Dawn M. Berry
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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GROUP 3600

In re Application of:

BENTON et al.

Application No.: 09/900,533

Filed: July 6, 2001

For: COMPOSITIONS FOR CONTROLLING SCALING AND COMPLETION FLUIDS

Group Art Unit: 3672

Examiner: WALKER, Zakiya Nicole

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

October 22, 2002

Sir:

In Response to the Restriction Requirement as set forth in the Office Action dated September 27, 2002, wherein a response is due on or before October 28, 2002 (October 27th is a Sunday), applicants respond as follows.

In the Office Action, the Examiner requested that applicants elect one group for examination purposes; namely, Group I directed to a completion fluid composition encompassing (claims 1-10, 25-43, 53-57, and 59) and Group II directed to a method of removing deposits of a well surface encompassing (claims 11-24, 44-52, and 58). The Examiner asserts that the inventions are distinct.

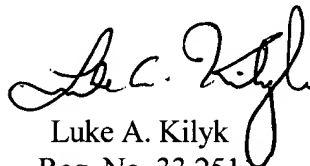
Applicants believe that all claims, namely claims 1-59, should be examined at this time since there appears to be no serious burden upon the Examiner to search the classes and subclasses identified by the Examiner at page 2 of the Office Action. As set forth in M.P.E.P. § 803, unless there is a serious burden on the Examiner, all subject matter should be examined in an application. Accordingly, applicants believe all claims should be examined at this time.

Response to Restriction Requirement
U.S. Patent Application No. 09/900,533

To be responsive to the Restriction Requirement, applicants elect with traverse the subject matter of Group I drawn to an aqueous-based composition and completion fluid. Applicants believe by searching this subject matter which in part relates to an aqueous based composition used in the methods of claims 11-24, 44-52, and 58, the subject matter of claims 11-24, 44-52, and 58 will necessarily be searched. Accordingly, applicants believe that this is another reason why all claims should be examined at this time.

In the event any fees are required in connection with this response, please charge Deposit Account No. 03-0060.

Respectfully submitted,



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